

took three or four drinks. I then went to dinner, but did not have much of an appetite. I do not remember whether or not I ate any dinner."

"Now tell the Court and jury what you did that evening."

MILLIKEN TELLS HIS STORY.

"After dinner I returned to my room, and took more drinks from the bottle. Neither of my friends had taken a single drink, and I almost finished the whiskey. About 8 o'clock I started out to make a call on Miss Phillips. I had with me a package containing the presents Miss Gertrude had given me, also a note that I had written before I left home. When I reached Judge Phillips' residence I rang the bell and asked for Miss Gertrude. The maid told me she was ill and did not want to see me. Then I handed her the package and asked her to take it upstairs to Miss Phillips. While she was gone I took out the note and started to add something to it, but as I was feeling somewhat distressed I threw the note on the card stand, walked into the parlor and sat down. I had been there only a short while when I got drowsy, fell off on the floor and went to sleep. I don't remember when I woke, but when I did I was under the impression that I was in my own house, and started to go upstairs. When I reached what I supposed to be my room I stumbled against a box in my endeavor to find matches."

"The first I knew of where I was, was when I heard a lady voice saying, 'Come upstairs, papa, there is a man in Gertrude's room.' Then I began to realize where I was, and my first thought was to escape without being seen or in any way causing a scandal. I stood around and finally the Judge came up. I could hear them talking, but could not distinguish what they were saying. My first thought was that I must disguise myself in some way, and risk through the hall and downstairs. I turned my coat wrong side out, took off my shoes and pulled my hat down over my face. When I tried the door I found that some one was holding it. I heard the ladies run downstairs and call for the police. I then climbed over the transom into Miss Elmer's room and saw a window open. I stepped out on a shed and found that I could not get off. Some one started to get through the window, but went back. In a few minutes a policeman came to the

city at once, never to return. He acquiesced to this, and later his brother did leave the city in response to his demand. When he left the office it was with the belief that there would be no prosecution. It was his own desire that for the sake of a little publicity as possible, and he thought that in this he had the cooperation of Judge Phillips. During the conversation between them there was no reference made to any chloroform having been used."

At 12:30 o'clock the court took a recess for half an hour. After the recess Albert Chaplin was called for the defence. He is a United Press reporter. He had not been drinking on July 4, he said, but saw Milliken drinking punches."

"Is a whiskey punch a long drink?" asked Lawyer Anthony, who conducted the direct examination.

"I'm not familiar with the drink myself, but I believe it is served in large glasses," replied the witness innocently.

"And afterward you went to Mr. Milliken's room?"

"Yes, sir."

"What did you do?"

"Played poker."

"For money?"

"No, sir."

A NEW POKER TERM.

"Ah, dry poker," suggested the New York lawyer. "It was a new phrase to the witness, but he agreed to it."

"I am not asking for your opinion as an expert, but I would like to know what was your impression as to his condition at the time in the matter of inebriety."

"I should say that he was in a fair way to get drunk."

"Why?"

"Well, he was getting talkative, especially after he took several more drinks of whiskey while we were playing cards."

From what he knew of Milliken, he was satisfied that he entertained a very warm feeling for Miss Phillips. He was then excused without being cross-examined."

At this point Judge Goode stated that he had several members of Congress summoned to testify as to Milliken's good character, but as they had not arrived he would dispense with their testimony."

The first witness for the Government called in rebuttal was A. R. Muldowney, Assistant District Attorney. He proved to be

tion of a day to show me that I was in error."

Following Mr. Anthony came Judge Goode for the defence. He made a most powerful and eloquent plea for his client. He referred to McKenny as the Ajax of the prosecution. He had formed a theory of his own theory, and not satisfied with not being able to give his theorized evidence in full when on the stand, he came out of the witness box and sat like a toad at the ear of the District Attorney and instilled poison into his ear. He likened his testimony concerning the finding of the handkerchief to that of Desdemona's. He said that if it had not been for McKenny's active prosecution of the case he doubted whether it would ever have been brought into court. He took the broad position that the relations existing between Milliken and Miss Phillips, running over a period of two years, during which time she had accompanied him on numerous occasions, both inside and outside of the city, precluded the possibility that he ever intended committing an assault upon her. By her own testimony she had proven that he was always gentlemanly and courteous. The argument of Judge Goode was, without doubt, one of the best ever heard in the court room."

When Goode concluded court adjourned until 10 o'clock to-morrow, when District Attorney Birney will close the case, and it will be given to the jury. The general impression is that the jury will either disagree or acquit Milliken."

"THE SENATOR FROM SPAIN"—MR. HALE

Continued on Second Page.

bans and to land them for having taken up arms and "trusting their just cause to the God of nations and of battles." Such a laudation of a cause so hateful to him prompted the Maine Senator to again interpose. Senator Gray, with a gesture apparently intended to wave Hale aside and to intimate that he preferred silence, responded: "The Senator from Spain must wait."

Again the grave and reverend Senators indulged in mirth. Mr. Hale's face flushed with indignation, while Senator Gray, evidently recognizing the force of his repeated blunder, actually blushed from a sense of helpless confusion. He, however, must have concluded that to attempt an explanation or an apology would add to the embarrassment of the occasion. He proceeded with his speech, and was not again interrupted by Senator Hale.

Another incident of the speech was the outburst administered by Mr. Gray to Senator Vilas. Mr. Gray had laid down the broad doctrine that the very fact of a people taking up arms and engaging in war, with all its attendant troubles and sorrows, constituted prima facie proof that the cause they fought for was just. In reply to a question from Mr. Hale, whose design was to draw Gray into the embarrassment of passing upon the justice of the cause of the rebellion, Mr. Gray admitted that the world's history had shown very few exceptions to this rule.

SENATOR VILAS, WHO WAS SITTING JUST behind Mr. Gray, jumped to his feet, and without taking time to first address the presiding officer, plumped this question to his Democratic associate from Delaware:

"What does the Senator (Gray) say of the one (cause) that arose in this country thirty-five years ago?"

Senator Gray turned very deliberately, as if he had recognized the voice of his questioner, looked for barely an instant directly at Mr. Vilas, as if intending to give him to understand that he had heard and comprehended his question, then faced the Vice President and proceeded with his speech as if no interruption had occurred. Vilas redemanded under the blow.

The junior Senator from Texas, Mr. Chilton, stated his attitude on the subject in a brief, but candid, speech. He said he would prefer to vote for a joint resolution recognizing the belligerent right of the Cubans, that they might be able to conduct their struggle for liberty on water without being condemned as pirates. He declared that he would not run the risk of involving the United States in war with Spain for the Cuban cause, and that he believed "intervention," as he defined and understood by writers on international law, would inevitably involve this country in war with Spain. At the conclusion of his anti-war speech, Mr. Chilton was warmly congratulated by Mr. Vilas, who has been delegated by the Administration to represent the Cuban sentiment in the Senate.

Senator Hale crossed the chamber and extended his hand to the Texas Senator, somewhat to the embarrassment of the latter, as it was plain that he was unwilling to be considered as sympathizing with Hale in his antagonism to Cuba.

After remarks by Mr. Gray, of Louisiana, the Senate adjourned.

TO DISTRIBUTE PATRONAGE.

Democratic Senators Dis. ss an Equitable Awarding of the 100,000.

Washington, March 19.—The Democratic members of the Senate held a caucus this afternoon to discuss the question of patronage. The proposition upon which Senator German, representing the Democrats, appears to be working was a limited one, and appears to meet with favorable consideration. This proposition provides for a non-partisan distribution of the patronage among the thirty Senators who compose the body. There are about eighteen employees, who from long years of experience have been attached to the Senate, and these men will be placed on a list and charged on to the Senate as a whole. The list will be divided into three classes, equally. There were ten Democratic Senators who ceased to be members of the Senate with the last session, and their successors have been in office through their influence. The same can be said of the new Republican Senators.

Of course, a revision of this sort means that some of the employees will have to go, and they will probably be those whose Senators have lost their seats. The whole subject, after discussion, was left to the Steering Committee. The committee will have the list of the employees and the list of the Senators who have been elected, and after a few days less than one half of which has expired, and be thruput to sue the union or its officers if they do not continue to pay him his salary.

The So. Ills. have heretofore been able to get a better of the anti-Socialist as a result of a campaign they have been carrying on since the late fall. It was decided yesterday, held in the anti-Socialist in the House, that the number will be issued in May, and Mr. Schoenfeld will be the editor.

The So. Ills. are not ill at the present, sold at 112 1/2, Broadway, bet. 28th and 29th sts.

THE MAJOR SAYS "TUT," OF WARING.

He Is Major Rudolph Fitzpatrick and He's Ready to Stand by His Words.

Says "the Er—Individual from Rhode Island" Has Grossly Insulted Irishmen.

INTERVIEWED IN "PARNELL VILLA."

He Is Utterly Without Fear, So Far as the Duello Is Concerned, but Trembles at the Thought of Gilding Bait.

Waring Is Cool.

"Major Rudolph Fitzpatrick, member of the Irish Brigade in the service of the late Pope Pius IX., during the campaign of 1890, is visiting master's mate of the United States gunboat Burnside, and chief clerk of the United States steamship Chickamauga during the civil war, and, later still, O'Neill's chief of staff in the invasion of Canada in '65, and now fifty-two years of age, presents his (Major Fitzpatrick's) compliments to Colonel Waring, of Rhode Island."

It was with this remarkable introduction that the redoubtable Major Fitzpatrick began his letter to the Street-Cleaning Commissioner, in which he demanded to know why in thunder fifth avenue was covered with slush and snow. Patrick's Day when the Irishmen held their parade. The Journal printed the substance of the letter yesterday, with Colonel Waring's comments, but was unable, through the absence of Major Fitzpatrick from his home, to obtain an elaboration of his views on the subject of clean streets.

GLAD TO ELABORATE.

The major lives at No. 55 East One Hundred and Third street, top floor. He calls his flat "Parnell Villa." He was at home yesterday and nothing, so he said, would give him greater happiness than to elaborate.

It would fill your heart with gladness to see this Major. He is a soldier from head to heel, his cheeks are pink, his hair and his mustache are snow white and his eyes are blue.

His voice is strong and hearty, with just a whisper of the brogue when he speaks of his campaigns it is like the roar of thunder, and when he recites a bit of Irish poetry it is soft and wooing.

Now, upon this subject of Colonel Waring and the condition of Fifth avenue on St. Patrick's Day, the Major was exceedingly wroth.

"If, sir," he said with great dignity, "it is my views that you are after, then, sir, I will give them to you. That er—individual from Rhode Island, sir, has basely and grossly insulted every self-respecting Irishman in this city. I, sir, do not believe in Irishmen parading the streets of a city on St. Patrick's day, or on any other day so long as they have not a flag and a country of their own. Much as it makes my heart bleed, sir, to say it, yet in the interests of justice, say it I must, Irishmen are slaves. Where is their land? Where is their country? Where is their liberty? Where, sir, I ask—where?"

THE MAJOR MUCH AFFECTED.

The Major's frame shook with emotion. It was evidently a subject that lay very near to his heart, and it needed but little to arouse all his powers of oratory to battle for his favorite opinions.

"But, sir," he went on, after a pause, "to return to that er—individual from Rhode Island, with his er—waxed er—right he is beneath the level of my contempt. He left the slush and the snow there—for what purpose? Merely to annoy the Irish. Now, sir, while I am not in sympathy with parading through the streets, I do not see why should so outrageously insult respectable men who want to parade."

"Did you intend your message to him to be a challenge?"

The Major frowned and began to curl the ends of his mustache with great fervor. Several times he looked up as if he was on the point of exploding with some violent remark, but each time he quickly lowered his gaze. Finally, in a constrained voice, he said:

"Sir, experience has taught me to be cautious. I once challenged a man to fight, but, sir, instead of coming to meet me like a gentleman, he had me arrested and held in jail. That taught me a great deal. In my letter to Colonel Waring I meant just what I said. I do not care how he takes it."

"He has been a soldier."

"Tut! In one country, I have been a soldier in three countries."

The logic of this was irresistible.

"However," the Major went on, "I care not what the outcome of this is. I will commit myself to this extent: I would rather have Colonel Waring shoot me than to be dragged off and put under lock and key."

"I have no reason to fear that Major Rudolph Fitzpatrick will challenge me to a duel," said Colonel Waring yesterday.

"I am inclined to regard his 'personal displeasure' about the slush and snow as a sign of weakness, and a sign that he is not a man of about seven feet. He seemed to be holding a red handkerchief over his arm, but when I got nearer I saw that it was covered with blood."

"He killed them."

"My son! my son!" I cried.

"He was the first one that they killed," he said.

"I took the man in the house and tried to bind his arm, which had been shattered by a bullet. I endeavored to pacify the women and told them that they should go to the nearest neighbors for help. Two white farm hands who had been hiding in the house came forward toward the house, while I was trying to quiet the women. They were afraid to go in, panic-stricken, and would not go for help."

The Bloody Scene.

"Suddenly a young man dashed up to the house mounted on a horse at full gallop. He drew his revolver and told the farm hands to get coats and pillows and medicine to take to the missing men in case any of them should be still alive. He said he would shoot them if they disobeyed, and they did as he directed. They made up a litter and they walked on till we found the place where the men lay in a pool of blood."

"I looked into my son's face, white and drawn, and cried out: 'My son! my son!'"

"He opened his eyes and whispered: 'Father, they have killed me.'"

"The old gentleman broke down in a passion of weeping at these recollections of this awful scene. He led me in to the bedside of his son, who then told me his story of the butchery."

Shot Down Like Dogs.

"They marched us along," he said, "and I spoke to the General: 'General, I am an American citizen, and here are my papers, from Mr. Williams.'"

"They are the worst things you could have," he said, "I wish the Consul were here himself, so that I could treat him thus, and he struck me three times in the face. Then he sounded the bugle calling the volunteers, and ordered us taken to the rear guard. Of course, we knew that this meant death. They tied us in a line with our hands pinioned. I knew the sergeant, and said to him:

"Is it possible that you are going to kill me?"

"How can I help it?" he answered.

ADVENTURES

OF ONE

Weary Week

IN THE

DISMAL SWAMP

RELATED IN NEXT

SUNDAY'S JOURNAL.

REVIEWER AND BURGLAR.

Edward Everett Hale's Book Critic Arrested and Confesses That He Is a Burglar.

Boston, March 19.—An intelligent, well-educated young man, named Charles S. Stoeckel, who for a year has been employed in the office of Edward Everett Hale's periodicals, *Land and The Commonwealth*, as a book reviewer, was arrested last night charged with burglary. He was caught just as he was leaving a pawnshop, where he went to dispose of silverware, stolen from a Back Bay house. When arrested he confessed that he had in all burglarized some twenty-five houses in Back Bay and Roxbury districts. In all Stoeckel has stolen something like \$2,000 worth of silverware, watches and clothing. Even his roommate did not suspect what Stoeckel was doing. He had no vices; he spent his evenings at home. He was prudent and eminently respectable in appearance.

Shortly after Stoeckel came to Boston he applied for work at Dr. Hale's office and got it. He could write well, and was soon given books to review. He did this well, and several of his reviews have appeared in the *Commonwealth's* columns with his signature attached. Later he entered the employ of the Brookline Gas Company, but continued his work for the *Commonwealth*.

Stoeckel took his arrest calmly and at first denied everything. Finally he confessed and said: "The first house I broke into was on Batavia street. I do not know who owns it. That was two months ago. I forced the door with a chisel, for I was satisfied that no one was inside. I took a lot of silverware and a few other things. I saw it was easy work, so I kept it up. Yes, I thought if I kept at it long enough I would get caught at last, but I reckoned on going out of the business before that time."

The property has been taken to Police Headquarters, and all day people have been going there to identify it. Dr. Hale is out of the city.

THE MASSACRE AT DOLORES.

Continued from First Page.

down at the table and were soon joking and laughing.

The Sudden Alarm.

"Suddenly we heard rifle shots. Hernandez yelled to his wife to hand him his machete; then they all went out and found that the firing had come from what seemed to be an advance guard of the Spanish troops. There was some skirmishing at a distance and the rebels rode away. They did not wish to fight on the plantation, as they were on another mission. The Spaniards had fired the cane, thinking there were other insurgents hiding in it. Spanish bullets rattled on the tiled roof of the house, and farm hands who were ploughing back of the house got frightened and wished to come in. So the doors and windows were barred and six men and three women, wives of the farm hands, came in. After a while I opened the window to see how matters stood, and saw two cavalrymen and a captain with two soldiers. My son and the farm hands went out toward the burning cane in an attempt to save some oxen that were near the cane."

Contempt for America.

"When the captain saw them he shouted: 'Who are these people?'"

"I told him they were our workmen, and then gave orders to clear the house. They rushed their horses right through the house, the captain leading them. I took out my American papers and showed them to him to prove that I was a peaceful citizen."

"They are the worst documents you can have," said the captain.

"They answered my son in the same way, and the captain repeated the order to clear the house."

"Then they ordered us to march on as prisoners and told the women to stay back. My son asked them to let me stay back with the women and they allowed me to do so."

Of course, the women were panic-stricken and screaming when they saw their husbands taken away. The old man, however, tried to console them, as he really appreciated no serious results.

The Massacre Begins.

"Then we heard shots and a second volley, and one of the women cried out:

"They have killed my husband!"

"Her words were true. After about three hours I ventured out, and I saw coming toward the house the old farm hand, a man of about seven feet. He seemed to be holding a red handkerchief over his arm, but when I got nearer I saw that it was covered with blood."

"He killed them."

"My son! my son!" I cried.

"He was the first one that they killed," he said.

"I took the man in the house and tried to bind his arm, which had been shattered by a bullet. I endeavored to pacify the women and told them that they should go to the nearest neighbors for help. Two white farm hands who had been hiding in the house came forward toward the house, while I was trying to quiet the women. They were afraid to go in, panic-stricken, and would not go for help."

The Bloody Scene.

"Suddenly a young man dashed up to the house mounted on a horse at full gallop. He drew his revolver and told the farm hands to get coats and pillows and medicine to take to the missing men in case any of them should be still alive. He said he would shoot them if they disobeyed, and they did as he directed. They made up a litter and they walked on till we found the place where the men lay in a pool of blood."

"I looked into my son's face, white and drawn, and cried out: 'My son! my son!'"

"He opened his eyes and whispered: 'Father, they have killed me.'"

"The old gentleman broke down in a passion of weeping at these recollections of this awful scene. He led me in to the bedside of his son, who then told me his story of the butchery."

Shot Down Like Dogs.

"They marched us along," he said, "and I spoke to the General: 'General, I am an American citizen, and here are my papers, from Mr. Williams.'"

"They are the worst things you could have," he said, "I wish the Consul were here himself, so that I could treat him thus, and he struck me three times in the face. Then he sounded the bugle calling the volunteers, and ordered us taken to the rear guard. Of course, we knew that this meant death. They tied us in a line with our hands pinioned. I knew the sergeant, and said to him:

"Is it possible that you are going to kill me?"

"How can I help it?" he answered.

ADVENTURES

OF ONE

Weary Week

IN THE

DISMAL SWAMP

RELATED IN NEXT

SUNDAY'S JOURNAL.



Judge Goode, the Man Who Is Defending Milliken.

window, came out on the shed and told me to hold up my hands. I did so, and told the officer I was no burglar. As we were going downstairs I saw Judge Phillips and asked to be allowed to speak to him. The officer paid no attention to me, and when we got outside I insisted that I be permitted to see the Judge. He refused to allow me to speak to McKenny, who was with him. He made me walk through the rain in my stocking feet."

Mr. Milliken then related his ride to the station house and his release by Assistant District Attorney Muldowney.

Mr. Birney then began a most severe cross-examination of the witness. He asked if it was Mr. Milliken's habit to get drunk before calling on a young lady for whom he had a high regard. Milliken replied that it was not, and that it was a most unbecoming thing to do, he was bound to admit.

"Were you drunk when you were released?"

"No, sir, I had gone through enough to sober any man."

He said that he left town because his brother ordered him to do so. Mr. Birney did not elicit any damaging contradictions in Mr. Milliken's statements. Judge Goode then announced that there were two Senators and a number of Government officials who were present to testify as to Milliken's good character, and asked permission to examine them at once. The request was granted.

SENATORS ON THE STAND.

Senator Harris, of Tennessee, was the first called. He was as gruff and glum as usual. He said that he had known Milliken for ten or twelve years, and that during all that time he had been a peaceable, law-abiding and orderly citizen.

Senator Hale, of the same State, was next called and eulogized Mr. Milliken. He, United States Attorney McCorty, of Tennessee, also gave Mr. Milliken an excellent character. Several other prominent Government officials spoke in high terms of the young man.

The next witness for the defence was R. E. Johnson. He corroborated all of Milliken's statements, particularly as to the whiskey punches. Witness contented himself with three lemonsade.

"Do you know the ingredients of a whiskey punch?" asked Judge Goode.

"No, sir," replied the witness.

"Well, that's very much to your credit," said the Virginian.

Witness was then examined at length on Milliken's condition.

"Was he drunk?"

"No, sir, not what you would call drunk. A man to be drunk, in my opinion, must be staggering and falling all over the street."

Judge W. A. Milliken, the brother of the defendant, was the next witness. Judge Milliken said that the first he knew of the occurrence was about daylight of the morning of July 5, when he received a note saying that his brother had been arrested. His brother showed every evidence of having been on a spree. His brother explained the matter, and later in the day he went to see Judge Phillips at the latter's office.

He expressed the mortification he felt at the occurrence, and said:

"I am sure that people use Salvation only because it is the best liniment."

The witness was then asked if he had any other information.

"No, sir, not what you would call drunk. A man to be drunk, in my opinion, must be staggering and falling all over the street."

Judge W. A. Milliken, the brother of the defendant, was the next witness. Judge Milliken said that the first he knew of the occurrence was about daylight of the morning of July 5, when he received a note saying that his brother had been arrested. His brother showed every evidence of having been on a spree. His brother explained the matter, and later in the day he went to see Judge Phillips at the latter's office.

He expressed the mortification he felt at the occurrence, and said:

"I am sure that people use Salvation only because it is the best liniment."

The witness was then asked if he had any other information.

"No, sir, not what you would call drunk. A man to be drunk, in my opinion, must be staggering and falling all over the street."

ver Republicans and free trade silver men.

A Republican President will give us the offices, but we fear nothing more, and the Republican press that gives promise of protection or prosperity with a Republican victory this Fall without agreeing to the free coinage of the white metal is either wilfully or ignorantly misleading the people."

Senator Dubois said to the Journal correspondent, to-night: "Unless the manufacturers consent to unite to aid the free coinage of silver they cannot hope to obtain any relief in the way of protective legislation during this Congress, as the silver men control the Senate, and will never assent to the passage of any tariff bill that does not carry with it the silver proviso."

This bluff of the silver Senators will not accomplish anything at St. Louis.